

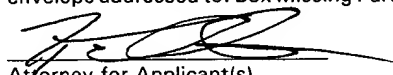
5.9

3

Section \$

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on July 25, 2001.

  
Attorney for Applicant(s)



PATENT  
Docket No. 4000.2.21

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Mai-lan Tomsen, et al. )  
)  
Serial No.: 09/858,201 )  
)  
Filed: May 15, 2001 )  
)  
For: SYSTEM AND METHOD FOR CABLE OPERATOR )  
CONTROL OVER ENHANCED PROGRAMMING )

**TRANSMITTAL OF RESPONSE TO NOTICE TO FILE**  
**MISSING PARTS OF APPLICATION (FILING DATE GRANTED)**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Attention: Box Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts of Application mailed July 17, 2001, enclosed please find the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- (1) a Declaration, Power of Attorney, and Petition executed by the inventors Mai-lan Tomsen, Armando P. Stettner, and Martin L. Behrens;
- (2) a Fee Transmittal;

(3) a Credit Card Payment Form in the amount of \$1,110 to cover the filing fee for the above-identified application and the surcharge fee pursuant to 37 C.F.R. § 1.16(e).

(4) a copy of the Notice to File Missing Parts of Application - Filing Date Granted;

Please debit any additional fees, or credit any over payment, to Deposit Account No. 13-0763. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 13-0763. A duplicate copy of this sheet is enclosed.

- ☒ Any additional filing fees required under 37 C.F.R. § 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

Please address all future correspondence in connection with this application to the attention of the undersigned.

Respectfully submitted,



Kory D. Christensen  
Reg. No. 43,548  
Attorney for Applicants

Date: July 25, 2001

MADSON & METCALF  
900 Gateway Tower West  
15 West South Temple  
Salt Lake City, Utah 84101  
Telephone: 801/537-1700

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**Complete If Known**

Application Number	09/858,201
Filing Date	May 15, 2001
First Named Inventor	Mai-lan Tomsen
Group Art Unit	2615
Examiner Name	

**TOTAL AMOUNT OF PAYMENT**

1110

**Attorney Docket Number**

4000.2.21

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account

Number

13-0763

Deposit Account

Name

MADSON &amp; METCALF

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☐ Check ☒ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. FILING FEE****Large Entity Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>710</b>

**2. CLAIMS**

Total Claims	Extra	Fee from below	Fee Paid
35	-20** = 15	x 18 = 270	
Ind. Claims	3	-3** = 0	x 80 = 0
Multiple Dep. Claims		0	x 135 = 0

**Large Entity Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

**SUBTOTAL (2)**

270

**3. ADDITIONAL FEES****Large Entity****Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1390	218	695	Extension for reply within fourth month	
128	1890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1510	138	1510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - intentional	
141	1240	241	320	Petition to revive - unintentional	
142	1240	242	620	Utility issue fee	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee

**SUBTOTAL (3)**

130

**SUBMITTED BY****Complete (if applicable)**

Typed or Printed Name

Kory D. Christensen

Reg. Number

43,548

Signature

Date

Jul 25, 2001

Deposit Account  
User ID

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

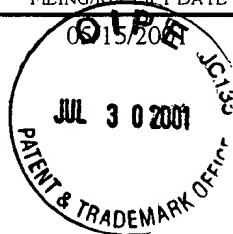


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/858,201	06/15/2001	Mai-lan Tomsen	4000.2.21

21552  
MADSON & METCALF  
GATEWAY TOWER WEST  
SUITE 900  
15 WEST SOUTH TEMPLE  
SALT LAKE CITY, UT 84101



CONFIRMATION NO. 2513

## FORMALITIES LETTER



\*OC000000006305448\*

Date Mailed: 07/17/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$270.
  - \$270 for 15 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1110.**

*A copy of this notice **MUST** be returned with the reply.*

A.T.  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/01/2001 MYUSUF1 00000037 09858201  
01 FC:101 710.00 DF  
02 FC:103 270.00 DF  
03 FC:105 130.00 DF